

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

RP.No. 1170 of 2006(N)

AGAINST THE JUDGEMENT/ORDER IN WPC.32689/2006 Dated 08/12/2006

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: REVIEW PETITIONER:

THE CHIEF MANAGER,
KERALA FINANCIAL CORPORATION, FIRST FLOOR,
FINANCE TOWER, KALOOR, COCHIN-17.

BY ADV. SRI.M.M.SAYED MUHAMMED, SC, KFC

RESPONDENTS:

1. P.A. BEEPATHU, NADUVELIKUDY HOUSE,
KUTTAMASSERY P.O., ALUVA.
2. THE DEPUTY TAHSILDAR (R.R.)
KERALA FINANCIAL CORPORATION,
KALOOR, COCHIN-17.

BY ADV. SRI.M.C.JOHN

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION
ON 08/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

RP No. 1170 of 2006

in

WP(C) No. 32689 of 2006

Dated, this the 8th day of March, 2007

O R D E R

This review petition is filed for the reason that pursuant to judgment in WP(C) 32689/2006, the recovering authority lifted all attachments in respect of petitioner's property stating that no amount is due to Kerala Financial Corporation (KFC). According to the learned counsel for the KFC, even though petitioner has cleared arrears in respect of one vehicle loan, the firm, in which writ petitioner is a partner, is in arrears and petitioner's property is liable to be attached, as he is a partner of the defaulted firm. The learned counsel for the writ petitioner submitted that other properties are mortgaged towards security for loan availed by the firm.

2. All what is stated in the judgment is that if no arrears are due from the writ petitioner, attachment should be lifted. The judgment does not prohibit fresh attachment, if the writ petitioner has any other arrears. In the circumstance, review

petition is disposed of leaving freedom to the review petitioner to proceed for attachment of any property of the petitioner, if he is defaulter in any loan account. It is open to the defaulters and guarantors to settle those arrears and get the attachments lifted.

This review petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg